

JUN 13 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/714,887 )  
In re application of: HEARD, Jacqueline E. *et al.* )  
Filed: November 13, 2003 )  
Art Unit: 1638 )  
Examiner: KRUSE, David H. )  
Docket No. MBI-0058CIP )  
Customer No. 47550 )

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT**

Sir:

This response to the pending Restriction Requirement is being made on June 13, 2006 with a petition for a one-month extension of time and is thus timely filed.

Applicants hereby elect Invention II, drawn to a transgenic plant comprising a recombinant polynucleotide encoding a polypeptide that regulates abiotic stress tolerance in a plant.

In addition, Applicants elect the G922 polynucleotide and polypeptide sequences, listed as polynucleotide SEQ ID NO: 3 and its encoded polypeptide, SEQ ID NO: 4 in the Sequence Listing.

Entry of these amendments is respectfully requested. After entry of the present amendments, the products of the claims will share a common structural feature (SEQ ID NO: 3 and/or encoded polypeptide SEQ ID NO: 4). The election is made without traverse.

Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 7 of this paper.